

# **EXHIBIT B**

UNITED STATES DISTRICT COURT  
CENTRAL DISTRICT OF CALIFORNIA  
WESTERN DIVISION

Priority \_\_\_\_\_  
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Closed \_\_\_\_\_  
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JS-3/JS-3 \_\_\_\_\_  
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CIVIL MINUTES - GENERAL

Case No. CV 03-4349 MRP(CMX) Date/Filed: February 18, 2004

Title: INSUREX CORPORATION v. THE TRUSTEES OF COLUMBIA UNIV.

PRESENT: THE HONORABLE MARIANA R. PFALTZER, SR. JUDGE

Vangelina Rina  
Courtroom Clerk

Not Present  
Court Reporter

ATTORNEYS PRESENT FOR PLAINTIFFS: ATTORNEYS PRESENT FOR DEFENDANTS:

No Appearances

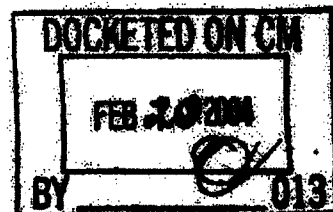
No Appearances

PROCEEDINGS: SCHEDULING ORDER (IN CHAMBERS)

Pursuant to Rule 16 of the Federal Rules of Civil Procedure and Local Rule 16, this case has been placed on the calendar in Courtroom 12 for a Pre-trial Conference on MONDAY, November 15, 2004, at 10:00 A.M. The case is set for Trial on TUESDAY, December 7, 2004, at 11:00 A.M. Unless excused for good cause, each party in the action shall be represented at the Pre-Trial Conference and all Pre-trial meetings of counsel by the attorney who is to have charge of the conduct of the trial on behalf of the party. Court further schedules the Discovery cut-off for August 27, 2004, and the Motion cut-off for September 24, 2004, (hearing of said motions).

The Court requires strict compliance with the requirements of Local Rule 16. Therefore, carefully prepared Memoranda of Contentions of Fact and Law and a proposed Pre-trial Conference Order shall be submitted in accordance with the provisions of Local Rule 16-2 through 16-6. The Form of the proposed Pre-trial Conference Order shall be in conformity with the format set forth in Local Rule 16-6.2.

cc: All Counsel of Record



MINUTES FORM 90  
CIVIL - GEN

Initials of Deputy Clerk vp

58

# **EXHIBIT C**



PILLSBURY WINTHROP LLP

725 SOUTH FIGUEROA STREET SUITE 2800 LOS ANGELES, CA 90017-5406 213.488.7100 F: 213.629.1033

March 3, 2004

Jennie L. La Prade  
Phone: 213.488.7216  
jlaprade@pillsburywinthrop.com

Via Facsimile & First Class Mail

Wayne M. Barsky, Esq.  
Gibson Dunn & Crutcher LLP  
2029 Century Park East, Suite 4000  
Los Angeles, CA 90067-4276

Kevin S. Rosen, Esq.  
Gibson Dunn & Crutcher LLP  
333 S. Grand Avenue  
Los Angeles, CA 90071-3197

Re: Immunex Corporation, et al. v. The Trustees of Columbia University in  
the City of New York

Dear Counsel:

We write to request a meeting of parties in compliance with Rule 26(f) of the Federal Rules of Civil Procedure and Local Rule 26-1. We propose that we hold the meeting telephonically on Monday, March 8, 2004. Please let us know at your earliest convenience a convenient time for the telephonic meeting.

We look forward to your prompt response.

Very truly yours,

PILLSBURY WINTHROP LLP

Jennie L. La Prade

cc: Arthur Wineburg  
Kirke M. Hasson

# **EXHIBIT D**



**PILLSBURY WINTHROP LLP**

1133 CONNECTICUT AVENUE, N.W. WASHINGTON, DC 20036 202.775.9800 F: 202.833.8491

Arthur Wineburg  
Phone: 703.905.2224  
awineburg@pillsburywinthrop.com

April 26, 2004

VIA FACSIMILE

Kevin S. Rosen, Esq.  
Gibson Dunn & Crutcher LLP  
333 S. Grand Avenue  
Los Angeles, CA. 90071-3197

Re: *IN RE: COLUMBIA UNIVERSITY PATENT  
LITIGATION; MDL NO. 1592*

Dear Kevin:

Since by Order of the Judicial Panel on Multidistrict Litigation our case has been transferred to Boston along with the other cases involved in litigation with Columbia concerning U.S. Patent No. 6,455,275 ('275 Patent), it is appropriate that we discuss discovery.

It is our understanding from your representations made in the transfer motions that Columbia has produced documents and other information pursuant to Rule 26(a)(1) and responded to discovery propounded by plaintiffs in the other actions. Since our case is now consolidated with these cases for purposes of discovery, I would appreciate your making available to Amgen all the discovery you provided in any of these cases.

Prior to the MDL Order, we were in discussions regarding the commencement of discovery. Since most of the other parties subject to the MDL Order have held Rule 26(f) conferences and made 26(a)(1) disclosures, I propose that we "catch-up" without requiring the Court's attention. Therefore I propose holding the Rule 26(f) meeting within the next five (5) business days, exchanging initial disclosures under 26(a)(1) by May 3<sup>rd</sup>, and commencing formal discovery immediately thereafter. If you agree that a Rule 26(f) meeting is not necessary, we are prepared to exchange initial disclosures and commence formal discovery immediately.



Kevin S. Rosen, Esq.  
April 26, 2004  
Page 2

We look forward to your prompt response.

Very truly yours,,

PILLSBURY WINTHROP LLP

A handwritten signature in black ink, appearing to read 'Art', written over the printed name of Arthur Wineburg.

Arthur Wineburg

cc: Wayne M. Barsky, Esq.

# **EXHIBIT E**





## UNITED STATES PATENT AND TRADEMARK OFFICE

COMMISSIONER FOR PATENTS  
UNITED STATES PATENT AND TRADEMARK OFFICE  
P.O. Box 1480  
ALEXANDRIA, VA 22313-1480  
www.uspto.gov

Ex Parte Reexamination Filing Data - March 31, 2004

1. Total requests filed since start of ex parte reexam on 07/01/81 ..... 6988

a. By patent owner	2974	43%
b. By other member of public	3849	55%
c. By order of Commissioner	165	2%

2. Number of filings by discipline

a. Chemical Operation	2216	32%
b. Electrical Operation	2182	31%
c. Mechanical Operation	2590	37%

3. Annual Ex Parte Reexam Filings

Fiscal Yr.	No.	Fiscal Yr.	No.	Fiscal Yr.	No.
1981	78 (3 mos.)	1989	243	1997	376
1982	187	1990	297	1998	350
1983	186	1991	307	1999	385
1984	189	1992	392	2000	318
1985	230	1993	359	2001	296
1986	232	1994	379	2002	272
1987	240	1995	392	2003	392
1988	268	1996	418	2004	202 YTD

4. Number known to be in litigation.....1455 21%

5. Determinations on requests ..... 6771

a. No. granted .....6136.....91%

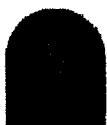
(1) By examiner	6031
(2) By Director (on petition)	105

b. No. denied .....635.....9%

(1) By examiner	601
(2) Order vacated	34

6. Total examiner denials (includes denials reversed by Director) .....	706			
a. Patent owner requester	410		58%	
b. Third party requester	296		42%	
7. Overall reexamination pendency (Filing date to certificate issue date)				
a. Average pendency	21.4 (mos.)			
b. Median pendency	16.8 (mos.)			
8. Reexam certificate claim analysis:	<u>Owner</u>	<u>3rd Party</u>	<u>Comm'r</u>	<u>Overall</u>
	<u>Requester</u>	<u>Requester</u>	<u>Initiated</u>	
a. All claims confirmed	23%	30%	13%	26%
b. All claims cancelled	7%	12%	19%	10%
c. Claims changes	70%	58%	68%	64%
9. Total ex parte reexamination certificates issued (1981 - present).....	4853			
a. Certificates with all claims confirmed	1287		26%	
b. Certificates with all claims canceled	483		10%	
c. Certificates with claims changes	3083		64%	
10. Reexam claim analysis - requester is patent owner or 3rd party; or Comm'r initiated.				
a. Certificates _ PATENT OWNER REQUESTER .....	2150			
(1) All claims confirmed	499		23%	
(2) All claims canceled	154		7%	
(3) Claim changes	1497		70%	
b. Certificates _ 3rd PARTY REQUESTER.....	2574			
(1) All claims confirmed	771		30%	
(2) All claims canceled	305		12%	
(3) Claim changes	1498		58%	
c. Certificates _ COMM'R INITIATED REEXAM .....	129			
(1) All claims confirmed	17		13%	
(2) All claims canceled	24		19%	
(3) Claim changes	88		68%	

# **EXHIBIT F**



THE CANADIAN MEDICAL HALL OF FAME

**Medi-Centre**

VIRTUAL MUSEUM OF CANADA

**Resources**

P.O. Box 5015 | 100 Perth Drive | London, Ontario | N6A 5K8 | Phone: 519-663-3087  
Fax: 519-663-3844 | Email: cmhf@mri.on.ca

**Dr. Louis Siminovitch**

Born: May 1, 1920

Birthplace: Montreal, Quebec

- ✦ Pioneer in human genetics
- ✦ Researcher into the genetic basis of muscular dystrophy and cystic fibrosis
- ✦ Helped establish Ontario program exploring genetic roots of cancer

**Bio**

After extensive post-doctoral training at the Institut Pasteur (1947-53), Dr. Siminovitch became a member of the Department of Biophysics at the University of Toronto, where he carried out research into the genetic basis of such conditions as muscular dystrophy, cystic fibrosis, and several forms of cancer. He also made contributions to knowledge in several fields of genetics, both animal and human. As a teacher, Dr. Siminovitch influenced and trained two generations of Canadian bio-medical researchers. He was appointed an Officer of the Order of Canada in 1980 and a Companion in 1989.

**SideFx**

Dr. Siminovitch has worked tirelessly for many Canadian medical organizations including hospitals and research institutes specifically in the area of genetics. Check out the website of one institution - the newly named Canadian Institutes for Health Research ([www.cihr.ca](http://www.cihr.ca)) (formerly the Medical Research Council of Canada) ) by clicking the link above. The site has news about the latest studies and research projects.

[Close Window](#)

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